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SEP 04 1998

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#21/CA  
12/16/98  
V. Kern

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable  
☐ DUPLICATE

Address to:  Assistant Commissioner for Patents Box CPA Washington, DC 20231	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Attorney Docket No.</td> <td>0758-1653</td> </tr> <tr> <td>First Named Inventor</td> <td>Toshimitsu KONUMA et al.</td> </tr> <tr> <td>Examiner Name</td> <td>K. Parker</td> </tr> <tr> <td>Group/Art Unit</td> <td>2871</td> </tr> <tr> <td>Express Mail Label No.</td> <td></td> </tr> </table>	Attorney Docket No.	0758-1653	First Named Inventor	Toshimitsu KONUMA et al.	Examiner Name	K. Parker	Group/Art Unit	2871	Express Mail Label No.	
Attorney Docket No.	0758-1653										
First Named Inventor	Toshimitsu KONUMA et al.										
Examiner Name	K. Parker										
Group/Art Unit	2871										
Express Mail Label No.											

This is a request for a Continued Prosecution Application (CPA) of prior application Serial Number 08/598,204, filed August 14, 1996; which itself is a continuation of Serial No. 08/301,774, filed September 7, 1994, now abandoned; entitled ELECTRO-OPTICAL DEVICE.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. §154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.76(e).

1. ☒ Enter the unentered amendment previously filed on April 30, 1998 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

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**Burden Hour Statement:** This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissions for Patents, Box CPA, Washington, DC 20231.

DEC 04 1998

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PTO/5B/29 (1/98)

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR § 1.16(c) or (d))	31	- 20* =	11	X \$22.00 =	\$242.00
INDEPENDENT CLAIMS (37 CFR § 1.18(b) or (i))	8	- 3** =	5	X \$82.00 =	\$410.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR § 1.18(d))				+ \$270.00 =	
BASIC FEE (37 CFR § 1.18)					\$790.00
TOTAL OF ABOVE CALCULATIONS =					\$1,442.00
Reduction by 50% for filing by small entity (Note 37 CFR §§ 1.9, 1.27 & 1.28).					
*Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.					
TOTAL =					\$1,442.00

## 6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.  
 b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
 c. ☐ Is no longer claimed.

## 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19-2380:

- a. ☒ Fees required under 37 CFR § 1.16.  
 b. ☒ Fees required under 37 CFR § 1.17.  
 c. ☐ Fees required under 37 CFR § 1.18.

8. ☒ A check in the amount of \$1,442.00 is enclosed.9. ☐ Other:

**NOTE:** The prior application's correspondence address will carry over to this CPA  
 UNLESS a new correspondence address is provided below.

## 10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Labelor ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name: Gerald J. Ferguson, Jr.  
 Firm: SIXBEY, FRIEDMAN, LEEDOM & FERGUSON, P.C.  
 Address: 2010 Corporate Ridge, Suite 600  
 City: McLean State: Virginia  
 Country: U.S.A. Telephone: (703) 780-9110

Zip Code: 22102  
 FAX: (703) 883-0370

## 11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gerald J. Ferguson, Jr.
Signature	
Registration No. (Attorney/Agent)	23,015
Date	June 26, 1998